

LIDIA MAHER (CSBN 222253)
ANDREW J. NICHOLSON-MEADE (CSBN 284070)
KEVIN B. HART (NYRN 3038031)
U.S. Department of Justice
Antitrust Division
450 Golden Gate Avenue
Box 36046, Room 10-0101
San Francisco, CA 94102
lidia.maher@usdoj.gov
Telephone: (415) 934-5300

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

JOSEPH J. GIRAUDO,
RAYMOND A. GRINSELL,
KEVIN B. CULLINANE,
JAMES F. APPENRODT, and
ABRAHAM S. FARAG,

Defendants.

CASE NO. CR 3:14-00534 CRB

**UNITED STATES' MOTION TO DISMISS
COUNTS 2 THROUGH 5, 7, AND 8, AND
FORFEITURE ALLEGATION FROM
INDICTMENT**

The United States, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, hereby moves to dismiss Counts 2 through 5, 7, and 8, and the forfeiture allegation (paragraphs 37 through 39) from the indictment in the above-captioned matter with prejudice. Counts 2 through 5, 7, and 8 charge various defendants with mail fraud, in violation of 18 U.S.C. § 1341.

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1 The United States intends to continue its prosecution of Counts 1 and 6, which charge various
2 defendants with bid rigging in violation of 15 U.S.C. § 1.

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5 DATED: October 12, 2016

Respectfully submitted,

8 /s/

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Lidia Maher
10 Andrew Nicholson-Meade
Kevin B. Hart
11 Trial Attorneys
Antitrust Division
12 U.S. Department of Justice
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